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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,138	03/02/2004	Haim Goldberger	P06380US00	4858

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MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES, IA 50309-2721

EXAMINER

HA, NGUYEN T

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/792,138

Applicant(s)

GOLDBERGER, HAIM

Examiner

Nguyen T Ha

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 9-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-25 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0304</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of group I claims 1-8 in the reply filed on 11/12/2004 is acknowledged. The traversal is on the ground(s) that the searches for group I and II would be co-extensive. This is not found persuasive because the method claims 9-16 would be classified in a different class than claims 1-8.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US 5,349,496) in view of Hasegawa et al. (US 5,390,074).

Regarding claim 1, Taniguchi et al. disclose a chip-type solid electrolytic capacitor (figure 1) comprising:

- a wire/ anode lead (14, column 3, line 24) having opposite first and second end surfaces and side surfaces;
- a conductive powder element/anode body (12, column 2, line 33) electrically connected to the wire exposing the second and first end surfaces, and covering the wire side surfaces;
- an insulative material (16a, column 2, lines 43-44) surrounding at least a portion of the conductive powder element and a portion of the wire side surfaces (figure 3);
- a first terminal (22, column 3, lines 59-61) formed by a first body of conductive material disposed over a portion of the insulating material (figure 1); and
- a second terminal (30, column 4, lines 39-45) formed by a second body of conductive material disposed over the conductive power element and being electrically connected to the second end of the conductive powder element (figure 1).

Taniguchi et al. fail to disclose the first terminal disposed over the first end surface of the wire.

Hasegawa et al. teach an anode metal layer (22a) disposed over a first end of an anode lead wire (14, figure 3).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Taniguchi capacitor as taught by Hasegawa to have the anode terminal disposed over the first end surface of the anode lead wire, in order to provide better electrical contact for the capacitor.

Regarding claim 2, Taniguchi et al. disclose the first terminal being an anode and the second terminal being a cathode end (column 3, lines 59-61, column 4, lines 39-45).

Regarding claims 3-5, Taniguchi et al. disclose the conductive powder element being made of powder, wherein the powder being from the group consisting of: Ta or Al (column 3, lines 33-35).

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US 5,349,496) in view of Hasegawa et al. (US 5,390,074) as applied in claim 3 above, and further in view of Cohen et al. (US 2004/0195093).

Regarding claim 6, the teaching of Taniguchi et al. in view of Hasegawa includes all the claimed limitations discussed above with respect to claim 3, except for the powder being electrophoretically deposited upon the wire.

Cohen et al. teach the major advantage of applying an electrophoretically deposited of the metal/wire/valve metal (paragraph 0001).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the electrophoretically deposited technique of Cohen et al. in Taniguchi et al., in order to obtain the thickness for the layer.

5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. (US 5,349,496) in view of Hasegawa et al. (US 5,390,074) as applied in claim 1 above, and further in view of Rao et al. (US 6,679,934).

Regarding claims 7 & 8, the teaching of Taniguchi et al. in view of Hasegawa include all the claimed limitations with respect to claim 1 above, except for the conductive powder element having a density between 3-8 g/cc, and having a capacitance-voltage between 10 CV and 150 KCV.

Rao et al. teach a conductive powder having a density between 3-8 g/cc and having a capacitance voltage between 10 CV and 150 KCV (column 3, lines 5-10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the Rao conductive powder in Taniguchi capacitor in view of Hasegawa et al., in order to increase the capacitance for the capacitor.

Allowable Subject Matter

6. Claims 17-25 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claims 17-23, the prior art alone or in combination does not teach the limitation of a surface mount MELF capacitor comprising: a wire having opposite first and second ends and a side surface, a first and second portion of the side surface adjacent the first and second end surfaces exposed without the conductive powder element, the dielectric film, the solid electrolyte, and the conductive counter-electrode layer.

With respect to claims 24-25, the prior art alone or in combination does not teach the limitation of a series of surface mount MELF capacitors produced using a reel to reel process, the series comprising: a wire having opposite first and second ends and an outer circumference, a plurality of spaced surface mount MELF capacitors that have been formed upon the wire.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

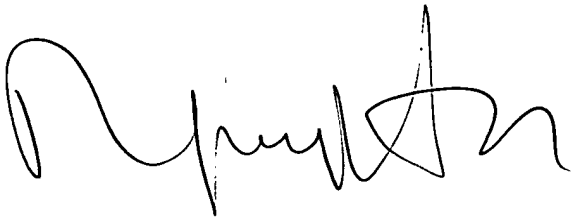
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Ha whose telephone number is 571-272-1974. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Nguyen T. H.', with a stylized, cursive script.

Nguyen T. H
March 22, 2005